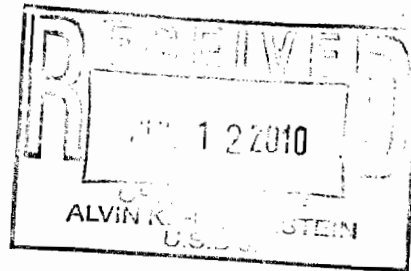
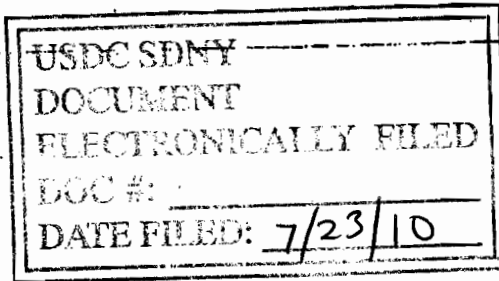


Hellerstein



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: LOWER MANHATTAN DISASTER SITE
LITIGATION

THIS DOCUMENT APPLIES TO ALL CASES
LISTED ON THE ATTACHED SCHEDULES A
AND B

Case No.: 21MC102 (AKH)

Docket No.:
(See attached Schedules A
and B)

This order relates to claims
against Merrill Lynch,
Brookfield and Battery Park
City Authority only in all
cases listed on Schedules A
and B

ALVIN K. HELLERSTEIN, U.S.D.J.:

STIPULATION AND ORDER

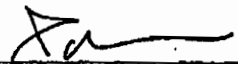
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the Plaintiffs listed on the attached Schedules A and B, and the attorneys for defendants Merrill Lynch & Co., Inc., 222 Broadway, LLC and CAP, Inc. (collectively "Merrill Lynch"), Brookfield Financial Properties, Inc., Brookfield Financial Properties, L.P., WFP Tower B Co. L.P., WFP Tower B Co. GP Corp., WFP Tower D Co. L.P., WFP Tower D Co. GP Corp., and WFP Retail Co. L.P. (collectively "Brookfield") and Battery Park City Authority ("BPCA") in these actions, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of this action, the matters (s) listed on Schedule A be and the same are hereby dismissed *with prejudice* as against the above-named Merrill Lynch, Brookfield and BPCA Parties only and without costs to any party with respect to all claims that could have been brought in

relation to (i) the existing pleadings of the Plaintiffs and (ii) a second injury to the extent permitted by New York State law by reason of the so-called "two-injury rule"; and (b) listed on Schedule B be and the same are hereby dismissed *with prejudice* as against the above-named Merrill Lynch Parties only and without costs to any party with respect to all claims that could have been brought in relation to (i) the existing pleadings of the Plaintiffs and (ii) a second injury to the extent permitted by New York State law by reason of the so-called "two-injury rule".


IT IS FURTHER STIPULATED AND AGREED, that the attorneys for Merrill Lynch, Brookfield or BPCA will submit a fully executed copy of this stipulation to the Court so that it may be "So Ordered" and filed with the Clerk of the Court.

Dated: July 9, 2010

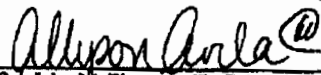
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William Groner
WG-4414

SO-ORDERED:


Hon. Alvin K. Hellerstein, USDJ

7-22-10

Schedule A

Schedule A - 21MC102

NAME	CV NUMBER
Criollo, Jose and Criollo, Maria	05CV01104
Solis, Lucio and Solis, Linda	05CV01198
Silva, Antonio and Silva, Lupe C.	05CV01260
Pena, Gabriel	05CV01385
Guerrero, Francisco and Guerrero, Arelis	05CV01636
Salgado, Hipolito and Salgado, Teresa	05CV01675
Montero, Leidis	05CV01691
Hualpa, Angel and Hualpa, Rosa	05CV02501
Pachay, Maximo	05CV09041
Lascano, Ana	05CV09333
Alcivar, Raul	05CV09821
Naranjo, Rosa	05CV10738
Gaspar, Peter	05CV10739
Pena, Luis and Delourdes, Maria	05CV10741
Castillo, Piedad and Avila, Cesar	05CV10743
Abarca, Edgar and Abarca, Margoth	06CV01648
Villafuerte, Julio	06CV01662
Maldonado, Mariana	06CV01786
Narvaez, Carlos	06CV02221
Kowalczyk, Adam and Kowalczyk, Sabina	06CV02252
Gomez, Gildardo	06CV02285
Jozef Borkowski, as Administrator of the Estate of Jan Pietraszkiewicz	06CV02527
Gutierrez, Rafael and Gutierrez, Diana V.	06CV02813
Guzman, Carlos and Guzman, Gloria	06CV02884
Palma, Patricia	06CV03932
Kurak, Antoni	06CV04376
Aristizabal, Enid	06CV04377
Grabowska, Malgorzata	06CV04885
Dutan, Elvia and Dutan, Wilfredo	06CV05504
Rojas, Mario	06CV05786
Toral, Carlos and Toral, Zolia	06CV06233
Rivera, Sonia and Rivera, Andres	06CV06234
Sarmiento, Maydi	06CV06521
Slesicki, Jerzy	06CV06814
Perveen, Afroza	06CV07530
Benavidez, Vincente and Jostina, Florinda	06CV07913
Perkowski, Kazimierz and Perkowski, Marta	06CV08278
Porras, Raul and Porras, Diana	06CV09674
Sanchez, Rocio and Sumba, Jose R.	06CV10237
Mohlenbrok, Jeffrey and Mohlenbrok, Wallace Ann	06CV10823
Idrovo, Edgar and Macedo, Gladys	06CV11025

Schedule A - 21MC102

Name	Ref. Number
Robles, Maria	06CV11257
Cortes, Francisco and Yambo, Maria	06CV11847
Sanchez, Oscar	06CV11892
Ali, Carlos	06CV11910
Estrada, Harold and Estrada, Luz	06CV12045
Moran, Wilson and Moran, Gloria	06CV12341
Pina, Napoleon and Pina, Maria	06CV12413
Pyziak, Jan and Pyziak, Zofia	06CV12425
Tabares, Janeth and Bedoya, Freddy	06CV12826
Yumbia, Luis and Yumbia, Rosa	06CV13166
Arlotta, Thomas A. and	
Arlotta, Guadalupe	06CV13784
Cardenas, Edison	06CV14533
Claret, Cecilia and Gonzales, Benito	06CV14554
Drozdz, Dominik and Drozdz, Ewa	06CV14619
Dutan, Lucila	06CV14623
Gallo, Juan	06CV14670
Jakubowski, Janusz and Karpinska, Krystyna	06CV14741
Maldonado, Darwin	06CV14824
Szczepanski, Krzysztof and	
Szczepanski, Anna	06CV15084
Vergara, Viviana and Vergara, Verter	06CV15116
Martinez, Luis and Castellanos, Ludivia	07CV00057
Avila, Angel and Avila, Annay	07CV00060
Acevedo, Carmelo and Carmelo, Martha	07CV01453
Alvarez, Rolando and Lidia, Joseta	07CV01455
Andrade, Alberto	07CV01456
Aristizabal, Dagoberto and Aristizabal, Alexandria	07CV01458
Avila, Edgar	07CV01464
Avila, Norberto and Avila, Nelly	07CV01465
Balarezo, Jose	07CV01468
Barragan, Sergio	07CV01489
Borkowski, Andrzej and Borkowska, Joanna H.	07CV01472
Camino, Francisco and Sarabia, Berta	07CV01476
Castellanos, Ludivia and Martinez, Luis L.	07CV01480
Chalco, Aida	07CV01481
Colucci, John and Colucci, Theresa	07CV01485
Cook, William and Cook, Mary Ann	07CV01486
Duran, Ana and Jaramillo, Manuel	07CV01493
Giraldo, John and Giraldo, Saraya	07CV01504
Hernandez, Luis C. and Hernandez, Rubela	07CV01507
Santamaria, Emanuel	07CV01528

Schedule A - 21MC102

NAME	CV Number
Sarmiento, Pedro and Sarmiento, Melanea	07CV01531
Tache, Bertha and Tache, Albert	07CV01537
Tamayo, Pedro and Tamayo, Gabriella	07CV01538
Toledo, William and Toledo, Patricia	07CV01539
Valdez, Wilson and Solla, Jimena	07CV01541
Valdiviezo, Hector and Casado, Veronica V.	07CV01542
Villarroel, Segundo and Villarroel, Martha L.	07CV01546
Walek, Krzysztof and Walek, Agata	07CV01547
Zamora, Carlos and Zamora, Mercedes	07CV01549
Avila, Cesar and Avila, Piedad	07CV01553
Avila, Nolberto and Avila, Brigida	07CV01554
Barona, Miguel and Sucuzhanya, Maria	07CV01569
Bunay, Carlos	07CV01571
Bunay, German Ernesto	07CV01572
Calle, Gil and Duchitanga, Maria	07CV01576
Calle, Jose and Calle, Damaris	07CV01577
Ceron, Armando	07CV01582
Chavez, Edizon and Chavez, Martha L.	07CV01585
Chojnowski, Andrzej and Chojnowski, Bozena	07CV01588
Combos, John and Combos, Donna	07CV01593
Concepcion, Beatriz	07CV01594
Diaz, Ruth	07CV01601
Duchitanga, Maria and Calle, Gil	07CV01604
Flores, Danilisa	07CV01608
Gallegos, Wilson and Gallegos, America M.	07CV01613
Idrovo, Manuel	07CV01628
Jimbo, Rodrigo and Calle, Dolores	07CV01632
Karpinski, Slawomir (sometimes referred to as Kappinski, Slawek) and Karpinski, Dorota	07CV01634
Karus, Marian and Karus, Barbara	07CV01635
Kasina, Andrzej	07CV01636
Kiryk, Andrzej and Kiryk, Urszula	07CV01639
Leon, Jose	07CV01647
Lituma, Manuel	07CV01649
Loja, Raul	07CV01652
Morales, Fabio and Morales, Martha	07CV01687
Ortiz, Rosa and Yumbia, Elio	07CV01676
Ortiz, Wilson and Alvaez, Alejandra	07CV01677
Pena, Jorge	07CV01682
Pieczynska, Hanna	07CV01684
Rodas, Patricio and Ruiz, Taina	07CV01694

Schedule A - 21MC102

NAME	Case Number
Rojas, Angel and Realeor, Olga Beatriz	07CV01698
Santana, Miquel	07CV01700
Siguachi, Daniel and Siguachi, Narcisa	07CV01705
Suarez, Felipe and Suarez, Ana C.	07CV01707
Suco, Norma	07CV01708
Sumba, Jose and Sumba, Maria	07CV01709
Sweeney, John and Sweeney, Ann	07CV01711
Szuberla, Edward	07CV01712
Vazquez, Francisco and Rodriguez, Tanya	07CV01721
Velasco, Zolia	07CV01723
Wierzbicki, Wlodzimierz and Wierzbicka, Alicja B.	07CV01727
Wolkowicz, Jan and Wolkowicz, Grace	07CV01728
Zelaya, Jorge and Zelaya, Maria	07CV01730
Zenteno, Lawrence and Zenteno, Nancy C.	07CV01731
Reynolds, David and Reynolds, Katherine	07CV03448
Agudo, Claudio	07CV04447
Angulo, Rossina	07CV04449
Barreto, Raul and Avila, Derlim	07CV04451
Barroso, Hector	07CV04462
Borowiecki, Wiktor	07CV04465
Buestan, Hector and Sibri, Lucrecia	07CV04458
Campoazano, Rodrigo and Campoazano, Esther	07CV04459
Collazos, Noemi	07CV04461
Criollo, Nancy and Zenteno, Lawrence	07CV04462
Davila, Paul	07CV04463
De La Cruz, Maria	07CV04464
Gallegos, Walter	07CV04467
Gavidia, Blanca and Gavidia, Alexo	07CV04468
Giraldo, Jaime and Vellada, Gloria	07CV04471
Jara, Marina	07CV04477
Lasica, Andrzej and Lasica, Ewelina	07CV04480
Loja, Wilmo	07CV04482
Lora, Andrea	07CV04484
Macas, Veronica	07CV04485
Medrano, Trinidad and Medrano, Salvador L.	07CV04493
Naranjo, Walter and Naranjo, Miriam	07CV04496
Oquendo, Walter	07CV04497
Pacho, Miguel and Pacho, Mercedes Y.	07CV04501
Pajak, Krzysztof and Pajak, Ewa	07CV04502

Schedule A - 21MC102

Name	Case Number
Gall, Diana (sometimes referred to as Palma, Diana) and Gall, Claudio	07CV04503
Pankiewicz, Czeslaw and Pankiewicz, Maria	07CV04505
Pelaez, Rolando and Villamarin, Monica	07CV04507
Pilco, Luis and Pilco, Anna Lucero	07CV04508
Quizhpi, Jesus	07CV04509
Salazar, Victor	07CV04512
Sanchez, Jose	07CV04513
Sanmartin, Leonel and Sanmartin, Ana Rosa	07CV04514
Serrano, Angel and Sarmiento, Tanny	07CV04516
Skrzeczkowski, Eugeniusz and Skrzeczkowski, Alicja	07CV04517
Toledo, Jorge	07CV04518
Torres, Miguel and Torres, Maria	07CV04519
Vasquez, Klever and Blanca	07CV04520
Vega, Severo and Gonzalez, Lila	07CV04521
Vera, Alejandro	07CV04522
Gabrielsen, Harald and Gabrielsen, Debi	07CV05169
Bastidas, Julio and Calle, Rosa	07CV05276
Drysdale, Oswald and Drysdale, Alma	07CV05286
Fisco, Gregory and Fisco, Nicole	07CV05289
Garcia, Sixta T.	07CV05292
Hurtado, Julio and Montes, Elda Monica	07CV05295
Mendoza, Enrique and Mendoza, Maria De	07CV05302
Mesa, Luis F and Mesa, Maria	07CV05303
Negron, Herbert and Negron, Rashena	07CV05305
Robles, Teresa	07CV05312
Rodriguez, Luis	07CV05313
Romanluk, Mieczyslaw and Romanluk, Maria	07CV05316
Sanchez, Juan C. and Parraga, Janny	07CV05318
Velez, Lucrecia	07CV05325
Zalewski, Krzysztof and Zalewski, Danuta	07CV05330
Ballon, Peter B.	07CV05338
Costello, Thomas and Costello, Terri	07CV05345
Diez, Panci and Diez, Rosa	07CV05351
Drake, Jesse and Drake, Susan	07CV05353
Encalada, Luis K.	07CV05354
Garcia, Sonia and Chavez, Christian	07CV05358
Jara, Juan	07CV05363

Schedule A - 21MC102

Name	Case Number
Lara, Emerita E.	07CV05365
Ostrzycki, Wladyslaw and Ostrzycki, Wieslawa	07CV05375
Pineda, Herman and Pineda, Sarito	07CV05378
Pinela, Carlos and Pinela, Clotilde	07CV05377
Sanchez, Wilson and Guadalupe, Maria	07CV05386
Sparano, Robert and Sparano, Theresa	07CV05388
Melendez, Maria E.	07CV05397
Orellana, Edgar	07CV05398
Samuel, Antwi	07CV05399
Urgiles, Miguel and Urgiles, Martha	07CV05400
Barahona, Jose and Barahona, Domenica	07CV05550
Diaz, Rita	07CV05552
Guzman, Armando	07CV05558
Galarca, Juan A	07CV08280
Garcia, Isabel	07CV08281
Rozpedowski, Jerzy	07CV08285
Sanchez, Delta E. and Rojas, Filemon M.	07CV08286
Solis, Ignacio C.	07CV08287
Viscaino, Pedro and Viscaino, Diana	07CV08291
Lukac, Esad and Lukac, Hajra	07CV10179
Alvarez, Gloria and Sandoya, Henry	07CV11017
Avila, Derlim and Barreto, Raul	08CV02237
Gandurski, Wieslaw	08CV02240
Jimenez, Francisco and Jimenez, Marisol	08CV02242
Moran, Luis and Moran, Ketty	08CV02243
Pino, Fernando and Ortega Diaz, Luz Mari	08CV02245
Tapia, Cristhian	08CV02248
Arbelaez, Ignacio	08CV02551
Asmal, Carlos	08CV02563
Atahortua, Martha	08CV02565
Avila, Mauricio and Calle, Elva	08CV02566
Bernao, Norma	08CV02569
Bunay, Teresa and Cabrera, Alfonso	08CV02578
Calle, Elva and Avila, Mauricio	08CV02584
Castillo, Nancy and Gollano, Cruz	08CV02593
Ceballos, Ledia and Domion, Cosme	08CV02595
Cedeno, Carlos and Pachay, Cella	08CV02596
Cochero, Robert and Cochero, Doris	08CV02601
DeJesus, Maria	08CV02605
Duche, Luz (sometimes referred to as Ductie, Luz), and Duche, Edgard	08CV02609
Espinosa-Cardenas, Nancy and Alves, Antonio Carlos	08CV02613
Fares, Manuel	08CV02617

Schedule A - 21MC102

NAME	STY NUMBER
Febrillet, Christian	08CV02618
Gallegos, Victor and Narvaez, Teresa	08CV02623
Gomez, Ruben	08CV02628
Gualotuna, Jorge	08CV02632
Harvey, Frank and Harvey, Nancy	08CV02635
Korzep, Andrzej and Korzep, Malgonzata	08CV02642
Manco, Luz	08CV02654
Meneses, Luis A.	08CV02658
Nartowicz, Mieczyslaw	08CV02669
Naula, Maria Margarita	08CV02671
Naula, Segundo	08CV02672
Navarro, Geronimo	08CV02673
Nieto, Rodolfo and Pachon, Martha	08CV02674
Parra, Leydi	08CV02681
Perez- Zapata, David and Votero, Julie	08CV02688
Ponce, Pedro	08CV02690
Ramirez, Ramiro	08CV02694
Rendon, Viviana and Valencia, Nestor R.	08CV02695
Sanchez, Daniel and Sanchez, Marisol	08CV02708
Sangua, Luis and Santos, Ruth	08CV02712
Siguencia, Nancy, Navanjo, Manuel	08CV02715
Simancas, Luis and Simancas, Florence	08CV02717
Sterling, Maximino	08CV02720
Valladares, Raimel	08CV02730
Weber, William	08CV02735
Wieliczko, Romuald and Kaminska, Krystyna	08CV02737
Wronkowski, Marian and Wronkowski, Danuta	08CV02738
Zamora, Bolivar and Huiracocha, Fanny	08CV02740
Arango, Magda	08CV04930
Paciorkowski, Wojciech and Paciorkowski, Marianna	08CV04940
Claret, Justina	08CV06633
Szafranski, Konrad and Szafranski, Maria	08CV06638
Rejment, Jan and Rejment, Anna	08CV11455
Vargas, Edwin	08CV11458
Kucer, Thomas and Kucer, Maria	09CV02809
Cubero, Carmen	09CV03450
Pumacuri, Manuel	09CV03453
Tenempaguy, Rocio	09CV03455
Giardino, Thomas	

Schedule B

Schedule B - 21MC102

Case Name	Case Number
Cardona, Luz	06CV00417
Ocampo, Orlando and Ocampo, Janneth	06CV09181
Carrasco, Victor and Leon, H.	06CV00459
Arias, Julio and Arias, Jane	06CV01340
Quintanilla, Natalia and Quintanilla, Gerardo	06CV01341
Galvis, Edger O	06CV03422
Porowski, Piotr and Porowski, Malgorzata	06CV03850
Carvajal, Javier	06CV08348
Loja, Jose and Duranzo, Livia Maria	06CV12219
Lopez, Miriam	06CV12221
Bikowski, Roman and Bikowski, Nella	06CV14498
Villa, Virginia and Villa, Rafael	06CV15118
Bermudez, Anita	07CV01470
Restrepo, Javier and Akin, Judith K.	07CV01517
Chaca, Wilson	07CV01583
Cordova, Hector	07CV01595
Siemek, Andrzej and Siemek, Janina	07CV01704
Bunay, Cruz and Dela Cruz, Berneranda	07CV04457
Calle, Maria Rocio	07CV04458
Medrano, Salvador and Medrano, Trinidad L.	07CV04492
Rendon, Guelmer	07CV04510
Banda, Jr., Nestor and Velastega, Gabriela	07CV04873
Molina, Rosa L.	07CV05017
Arias, Arturo and Quintana, Marilyn	07CV05274
Cayetano, Teresita	07CV05282
Guerrero, Antonio	07CV05294
Kosowski, Edward and Stfanska, Elzbieta	07CV05299
Narvaez, Julia	07CV05304
Ruiz, Arley	07CV05317
Santos, Fernanda	07CV05319
Valencia, Carlos A. and Bonilla, Gloria N.	07CV05324
Villa, Patricia	07CV05326
Saeteros, Milton I.	07CV05383
Kopcza, Michal and Kopcza, Danuta	07CV05396
Castro, Janeth and Castro, Javier	07CV08279
Tabares, Lilliana	07CV08289
Morales, Xiomar	07CV11022
Ruales, Segundo E. and Sarato, Cynthia	07CV11024
Colorado, Viviana and Carvajal, Leslie	08CV02239

Schedule B - 21MC102

NAME	FILE NUMBER
Palomeque, Henry	08CV02244
Bonifaz, Susana	08CV02574
Castano, Carlos and Castano, Beatriz	08CV02591
Gil, Claudia and Banonios, Marco	08CV02626
Giraldo, Edir	08CV02626
Mayorga Gonzalez, Julio Cesar and Atmos, Margarita	08CV02656
Montalvo, Luz and Navarro, Hector	08CV02680
Mora, Andres and Valdez, Rosa	08CV02681
Munoz, Janeth and Munoz, Javier	08CV02685
Munoz, Javier and Munoz, Janeth	08CV02686
Rodriguez, Mirian	08CV02702
Toledo, Victor and Canar, Dilia	08CV02723
Valdez, Rosa and Mora, Andres	08CV02727
Zamora, Jairo and Zamora, Gloria	08CV02741
Bermeo, Ana and Encalada, Idalgo	08CV04933
Gandia, Rosa	08CV04938